

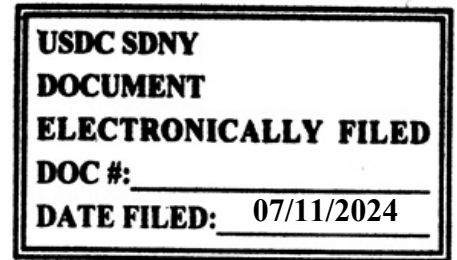
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July 10, 2024

Hon. Katharine H. Parker, U.S. Magistrate Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

By CM/ECF and e-mail

Re: *Crescit Mortgage Capital, LLC v. Emerald Bay Apartments, LLC, et al.,*
No. 22-cv-10263 (DEH/KHP)

Dear Judge Parker:

I represent plaintiff Crescit Mortgage Capital, LLC in this matter. I write to request that the settlement conference scheduled for July 23, 2024, be adjourned because defendants Christopher S. Robison and Emerald Bay Apartments, LLC ("Defendants") have failed to enter an appearance in this case following the withdrawal of their counsel over two months ago.

After conferring with the parties' counsel, Your Honor entered an Order on April 23, 2024, setting the settlement conference for July 23. Dkt. 68. The parties' pre-settlement conference submissions are due by July 16. *Ibid.*

On April 25, Judge Ho granted a motion by the attorneys for Defendants to withdraw as counsel from the case. Dkt. 69. In its Order, the Court directed that by May 24, 2024, "replacement counsel shall file a notice of appearance for Defendants and/or Defendant Robison shall file a notice of pro se appearance if he decides to proceed pro se." *Ibid.* Neither replacement counsel nor Mr. Robison filed any notice of appearance by that date. On July 1, 2024, the Court entered an Order directing that "Defendant Robinson shall file a notice of pro se appearance by July 22, 2024, and provide the Court with your current mailing and email address." Dkt. 72. To date, Mr. Robison has not filed a notice of pro se appearance.

In light of Defendants' failure to enter an appearance, either by counsel or pro se, we respectfully submit that little purpose would be served by a settlement conference at this

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time. We therefore request that the settlement conference be adjourned indefinitely unless and until Mr. Robison enters a notice of appearance.

Thank you for your attention to this matter.

Respectfully submitted,

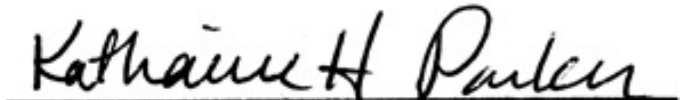
/s/ Christopher J. Paoella

Christopher J. Paoella

cc: Christopher S. Robison (by U.S. mail)
Emerald Bay Apartments, LLC (by U.S. mail)

APPLICATION GRANTED: The Settlement Conference in this matter scheduled for July 23, 2024 is hereby adjourned. Failure to provide the Court with contact information and follow court orders may result in sanctions up to an including a default judgment.

APPLICATION GRANTED

A handwritten signature in black ink, reading "Katharine H. Parker", written over a horizontal line.

Hon. Katharine H. Parker, U.S.M.J.

07/11/2024